

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WILLIAM ROPER and CAROL ROPER,  
individually and as a marital community,

Plaintiffs,

vs.

BORGWARNER MORSE TEC, INC., et al.

Defendants.

NO. 2:16-cv-01453-TSZ

STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE AS  
TO DEFENDANT LONE STAR  
INDUSTRIES, INC. ONLY

**STIPULATION**

Plaintiffs William Roper and Carol Roper (“Plaintiffs”) and Defendant Lone Star Industries, Inc. (“Lone Star Industries”), by and through their counsel of record, stipulate that all claims against Lone Star Industries may be dismissed without prejudice and without costs or attorney fees as to any party in the above-captioned matter, reserving to plaintiffs their claims against the other parties.

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STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE AS  
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INDUSTRIES, INC. ONLY  
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Page 1

**Foley & Mansfield, PLLP**  
999 Third Avenue, Suite 3760  
Seattle, WA 98104  
Telephone: (206) 456-5360

1 DATED this 24th day of August, 2017.

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3 NAPOLI SHKOLNIK, PLLC

FOLEY & MANSFIELD, PLLP

4 /s/ Christopher P. Gladd

5 Christopher P. Gladd, NYB #2516169  
6 (Pro Hac Vice)  
Counsel for Plaintiffs

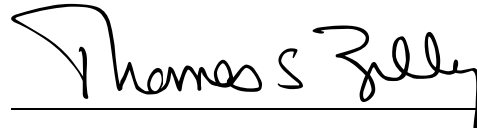
/s/ Howard (Terry) Hall

Howard (Terry) Hall, WSBA #10905  
Counsel for Defendant  
Lone Star Industries, Inc.

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8  
9 **ORDER**

10 Pursuant to the parties' stipulation, it is hereby ORDERED that all claims against  
11 Defendant Lone Star Industries are hereby dismissed without prejudice and without costs or  
12 attorney fees as to any party, reserving to plaintiffs their claims against the other parties.  
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14 DATED this 25th day of August, 2017.

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16 Thomas S. Zilly  
17 United States District Judge  
18  
19  
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21

22 *Presented by:*

23 FOLEY & MANSFIELD, PLLP  
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1 /s/ Howard (Terry) Hall

2 Howard (Terry) Hall, WSBA #10905  
3 Counsel for Defendant Lone Star Industries, Inc.

4 *Approved by:*

5 NAPOLI SHKOLNIK, PLLC

6 /s/ Christopher P. Gladd

7 Christopher P. Gladd, NYB #2516169  
8 (*Pro Hac Vice*)  
9 Counsel for Plaintiffs  
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